

Notice of Allowability

Application No.

09/964,977

Examiner

Alicia Baturay

Applicant(s)

KRISHNAN ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment after final filed 11 April 2007.
2. ☒ The allowed claim(s) is/are 1,2,5-18,21,22,25-38,41,42 and 45-58 renumbered as 1-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


SALEH NAJJAR
SUPERVISORY PATENT EXAMINER

Allowance

1. Claims 3, 4, 19, 20, 23, 24, 39, 40, 43, 44 and 59-63 are cancelled.
2. Claims 1, 2, 5-18, 21, 22, 25-38, 41, 42 and 45-58 are allowed.

Examiner's Amendment

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Joel Wall (Reg. #25,648) on 08 May 2007.
5. The application has been amended as follows:

In the Claims: Claim 41 has been amended.

Claim 41 (currently amended) A computer program product for use in a computer network having a plurality of nodes each of which has a DDB and one of which should be master node to maintain contents of said DDB in each of said plurality of nodes consistent throughout said plurality in a manner to avoid a single point of failure, said plurality of nodes including a first master node and a second master node, said computer program product including a computer usable medium having computer readable

program code stored thereon and executed by a processor for resolving conflict in said network between said first master node and said second master node, said program code comprising: program code for establishing a temporal standard for comparison between said first master node and said second master node; program code for comparing said first master node against said second master node in accordance with said temporal standard to obtain comparison results; wherein said comparing program code comprises: program code for choosing between said first master node and said second master node if said first master node and said second master node were selected simultaneously; and, program code for determining which one of said first master node and said second master node was most recently selected to obtain a most recently selected master node if said first master node and said second master node were not selected simultaneously; and, program code for selecting said master node from the group of nodes consisting of said first master node and said second master node based on said comparison results, to resolve said conflict between said first master node and said second master node.

Reasons for Allowance

6. The reasons for allowance were stated on page 10 of the Final Rejection mailed on 22 February 2007 and as Applicant has now incorporated the previously indicated allowable subject matter into all remaining independent claims, these reasons remain as the reasons for allowance.

Art Unit: 2155

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance OR Examiner's Amendment."

Art Unit: 2155


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay
May 8, 2007


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SUPERVISORY PATENT EXAMINER